

112TH CONGRESS
2D SESSION

H. R. 2606

AN ACT

To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “New York City Natural
3 Gas Supply Enhancement Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ENTITY.—The term “entity” means an en-
7 tity holding a permit issued under this Act.

8 (2) LEASE.—The term “lease” means an agree-
9 ment that authorizes the occupancy and use of cer-
10 tain designated premises for facilities associated
11 with the project, particularly a meter and regulating
12 station.

13 (3) NATURAL GAS PIPELINE FACILITIES.—The
14 term “natural gas pipeline facilities” means pipeline
15 and related equipment necessary for the trans-
16 mission and distribution of natural gas, such as me-
17 ters and heating and pressure-regulating devices
18 used in the transportation of natural gas.

19 (4) PERMIT.—The term “permit” means any
20 permits, rights-of-way, or any other authorizations
21 necessary for the Secretary to authorize the con-
22 struction, operation, and maintenance of natural gas
23 pipeline facilities in the Gateway National Recre-
24 ation Area.

25 (5) PROJECT.—The term “project” means the
26 natural gas pipeline facilities within Gateway Na-

1 tional Recreation Area, including the meter and reg-
 2 ulating station to be located at Floyd Bennett Field,
 3 that are part of the Rockaway Delivery Lateral/
 4 Brooklyn Queens Interconnect Project, as further
 5 described in Federal Energy Regulatory Commission
 6 (FERC) Docket No. PF09–8, and including author-
 7 ized revisions to the project.

8 (6) RENT.—The term “rent” means any pay-
 9 ment to the Secretary pursuant to a lease for occu-
 10 pancy and use of designated premises to be made in
 11 such a manner and at such intervals as determined
 12 by the Secretary.

13 (7) SECRETARY.—The term “Secretary” means
 14 the Secretary of the Interior, acting through the Di-
 15 rector of the National Park Service.

16 **SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS**
 17 **PIPELINE FACILITIES.**

18 (a) IN GENERAL.—The Secretary may issue permits
 19 to authorize the construction, operation, and maintenance
 20 of natural gas pipeline facilities, as provided by the
 21 project, within Gateway National Recreation Area.

22 (b) TERMS AND CONDITIONS.—

23 (1) Any rights-of-way or other permits issued
 24 for the natural gas pipeline facilities under this sec-
 25 tion shall be consistent with the laws and regulations

1 generally applicable to utility rights-of-way within
2 units of the National Park System.

3 (2) Any permits issued under this section for
4 the natural gas pipeline facilities shall be subject to
5 such terms and conditions the Secretary deems ap-
6 propriate.

7 (3) The Secretary shall charge a fee for any
8 permits issued under this section. The fees shall be
9 based on fair market value and shall also include
10 costs incurred by the National Park Service in proc-
11 essing a request for a permit; issuing a permit, if
12 appropriate; and monitoring the permitted activities.

13 (4) Any permits issued under this section shall
14 be for a term of 10 years, subject to renewal with
15 any changes to its terms and conditions mutually
16 agreed upon.

17 (c) ENFORCEMENT.—Failure to comply with, or a
18 violation of, any term or condition of a permit may result
19 in a citation, or fine, or the suspension or revocation of
20 authorization to conduct the permitted activity.

21 **SEC. 4. LEASE OF BUILDINGS.**

22 The Secretary may enter into a non-competitive lease
23 with any entity to allow the occupancy and use of buildings
24 and associated properties on Floyd Bennett Field to house

1 facilities associated with the project, particularly a meter
2 and regulating station. Such lease shall—

3 (1) otherwise be subject to National Park Serv-
4 ice leasing regulations;

5 (2) provide for the restoration and maintenance
6 of the buildings and associated properties in accord-
7 ance with the Secretary of the Interior's Treatment
8 Standards for Historic Property (36 CFR Part 68),
9 section 106 of the National Historic Preservation
10 Act (36 CFR 800), and any programmatic agree-
11 ments;

12 (3) provide for appropriate rent for occupancy
13 and use of the property representing, at minimum
14 but not limited to, fair market value; and

15 (4) provide for monetary penalties for violations
16 of the lease.

17 **SEC. 5. FEES AND RENT.**

18 (a) FEES.—The Secretary shall retain the portion of
19 any fee assessed under section 3(b)(3) that is equal to the
20 costs incurred in processing and issuing the permit re-
21 quest and monitoring the permitted activities, and the bal-
22 ance of the fee shall be deposited in the Treasury of the
23 United States.

24 (b) RENT.—Any rent collected pursuant to section 4
25 shall be deposited in a special account in the Treasury

1 of the United States in accordance with section 3(k)(5)
2 of Public Law 91–383 (16 U.S.C. 1a–2(k)(5)) and shall
3 be available to the Secretary, without further appropria-
4 tion and without fiscal year limitation, for infrastructure
5 needs, resource protection, and visitor services at the
6 Gateway National Recreation Area.

Passed the House of Representatives February 7,
2012.

Attest:

Clerk.

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